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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/978,273

Confirmation No: 4447

Applicant : Christopher John Robert THOMAS, *et al.*

Filed : October 15, 2001

Title : **PLANT CELL DEATH SYSTEM**

Art unit : 1638

Examiner : Cynthia E. Collins

Docket No. : 13101/48801

Customer No. : 26646

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA, 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: 9/22/06

Signature: Anthony Giaccio

Anthony Giaccio Reg. (No. 39,684)

**NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME**  
**PURSUANT TO 37 C.F.R. §1.136(a)**

Applicants hereby appeal the Examiner's decision made in the Final Office Action dated March 22, 2006, finally rejecting claims 55-66. Applicants request a three-month extension of time, so that the three-month response period is extended from June 22, 2006 to September 22, 2006. The Commissioner is authorized to charge the \$1,020.00 three-month extension fee to the account of Kenyon & Kenyon LLP, Deposit Account No. 11-0600.

The Commissioner is hereby authorized to charge the payment of the 37 C.F.R. § 41.20(b)(1) Notice of Appeal fee of \$500.00, to Kenyon & Kenyon LLP, Deposit Account No. 11-0600. Any additional fees deemed necessary should also be charged to Deposit Account No. 11-0600. An additional copy of this Notice is enclosed for that purpose.

Date: 9/22/06

09/27/2006 BABRAHA1 00000003 110600 09978273

01 FC:1401 500.00 DA  
02 FC:1253 1020.00 DA

Respectfully submitted,  
KENYON & KENYON LLP

Anthony Giaccio  
USPTO Reg. No. 39,684

One Broadway  
New York, NY 10004  
Telephone: (212) 425-7200  
Facsimile: (212) 425-5288  
Customer No: 26646